

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

LISA MINTON,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 1:05CV878-VPM
)
TRUMBLE BOTTLED WATER,)
d/b/a CULLIGAN OF THE)
WIREGRASS,)
)
Defendant.)

ORDER

This case, currently set for jury trial on 31 July 2006 (See Doc. # 18), was re-assigned to the undersigned Magistrate Judge on 15 June 2006. It was filed on 14 September 2005 (Doc. # 1), and its pretrial proceedings have been rescheduled several times, most recently on 7 March 2006 when the court re-set the deadline for dispositive motions from 21 March 2006 to 21 April 2006 (Doc. # 23).

Pursuant to that order, the plaintiff filed a Motion for Summary Judgment on 21 April 2006 (Doc. # 24), but the defendant has not filed a response to the motion. Consistent with the court's order of 7 March 2006, the court re-affirms its previous admonition to counsel and the parties that "dispositive motions filed after the original deadline may not be determined prior to the pretrial hearing".

A scheduling conflict prevents the undersigned Magistrate Judge from conducting a pretrial conference on 23 June 2006, as provided in the Rule 16 Scheduling Order.

Accordingly, in view of the foregoing, it is ORDERED as follows:

1. Counsel shall appear for a pretrial conference on 28 June 2006 at 10:00 a.m. in Courtroom 5A, Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama. Counsel shall be prepared to discuss fully the issues and defenses in the case, the likely evidence at trial, and the trial witnesses and exhibits.
2. On or before 30 June 2006, the plaintiff shall file a response to the motion for summary judgment, along with a supporting brief. The brief shall include a statement of facts with specific references to the record, and it must be accompanied by an appendix which includes the evidence upon which the plaintiff relies. Any discussion of evidence in a brief must include the specific reference, by page and line, to where the evidence can be found in the supporting evidentiary appendix or in a court pleading or other filing (complaint, answer, brief, etc.).
3. The plaintiff is specifically DIRECTED to include in her brief a section which responds directly to the defendant's Narrative Statement of Undisputed Material Facts. To facilitate the court's analysis of the extent to which the facts are in dispute, the plaintiff shall number her Responsive Narrative consistent with the defendant's Narrative and respond item-for-item. The plaintiff may then add items of undisputed facts, if appropriate.

DONE this 20th day of June, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE